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Attorney for Debtor(s)

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

IN RE:	§	
	§	CASE NO. 25-40278-MXM-13
BYRON EARL WALKER	§	
	§	CHAPTER 13
Debtor(s)	§	
	§	
TD BANK, N.A.	§	
	§	
Movant.	§	
V.	§	
	§	
BYRON EARL WALKER	§	Preliminary Hearing on Motion
	§	for Relief from Automatic Stay:
Debtor-Respondent.	§	<b>3/27/2025 @ 9:30 a.m.</b>

**DEBTOR'S ANSWER AND OBJECTION TO**  
**MOTION FOR RELIEF FROM AUTOMATIC STAY**  
**FILED BY TD BANK, N.A.**

TO THE HONORABLE UNITED STATES BANKRUPTCY COURT:

COMES NOW BYRON EARL WALKER ("Debtor" whether singular or plural) and requests of the Court that a hearing be scheduled on the subject matter and files this Debtor's Answer and Objection to Motion for Relief from Automatic Stay Filed by TD Bank, N.A. ("Movant"), and in support hereof would respectfully show the Court as follows:

**SPECIFIC ADMISSIONS**

1. Debtor admits the allegations contained in paragraph(s) 1, 2, 3, 4, 5, 6, 8, 12, 14, 15 and

16 of Movant's Motion.

**SPECIFIC DENIALS**

2. Debtor denies the allegations contained in paragraph(s) 7, 9, 10, 11, 13 of Movant's Motion and demands strict proof thereof.

**ELEMENT OF DEBTOR'S DEFENSE**

3. There exists cause justifying the denial of Movant's Motion and requested action for the following reasons:

B. The property is necessary for the effective reorganization of the Debtor because it is the Debtor's vehicles that are used in business in oil pipeline work.

C. Movant has been, and will be, afforded adequate protection for the following reasons:

1. Debtor would show the Court that adequate protection is being paid in payments pursuant to General Order 2021-01, the Debtor's Authorization for Adequate Protection Disbursements, and Debtor's Chapter 13 Plan.

2. Debtor would show the Court that adequate protection is being paid by paying the indebtedness through Debtor's Chapter 13 Plan of reorganization.

3. Debtor would show that the subject property is adequately insured to the extent necessary, proper, and sufficient to protect Movant's interest in the collateral.

4. Debtor is paying adequate protection payments to Movant on both vehicles at 1.25% which is the correct percentage amount for adequate protection payment.

**RIGHT TO AMEND OR SUPPLEMENT RESERVED**

4. Debtor reserves the right to amend or supplement this Answer with additional information supported by Debtor's evidence, affidavit and/or amended answer.

**PRAYER**

**WHEREFORE, PREMISES CONSIDERED,** Debtor prays that a hearing be set in the instant matter, that Movant's Motion be denied in all respects and that the automatic stay pursuant to §362 of the United States Bankruptcy Code remain in full force and effect, and for such other and further relief to which the Debtor may show himself entitled.

Respectfully submitted,

/s/ Eric A Maskell

Eric A Maskell

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Attorney for Debtor(s)

**CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the above and foregoing Debtor's Answer and Objection to Motion for Relief from Automatic Stay was served on each party listed below on March 7, 2025:

DEBTOR:

Byron Earl Walker  
1206 Delmarva Ct  
Granbury, TX 76048

ATTORNEY FOR MOVANT:

Stephen G. Wilcox  
WILCOX LAW, PLLC P.O.  
Box 201849 Arlington, TX 76006

CHAPTER 13 TRUSTEE:

Pam Bassel  
860 Airport Frwy., Suite 150  
Hurst, TX 76054

/s/ Eric A Maskell

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